

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 07-12848

D. C. Docket No. 06-61100 CV-PCH

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT May 21, 2008 THOMAS K. KAHN CLERK

SARA EVANS, DONALD ALEX EVANS,
on behalf of Emily Evans, a child and Jacob
Evans, a child, individually,

Plaintiffs-Appellants,
Cross-Appellees,

versus

UNKNOWN AGENTS OF THE DEPARTMENT OF CHILDREN
AND FAMILIES, individually as agents of the DCF,

Defendant-Appellee,

M.D. JOHN WRIGHT,
individually as an agent of the Child Protection Team,
M.D. JASON SCHULMAN,
individually as an agent of the Child Protection Team,
MARSHA CHRISTIE,
individually as an agent of the Child Protection Team,

Defendants-Appellees,
Cross-Appellants.

Appeals from the United States District Court
for the Southern District of Florida

(May 21, 2008)

Before ANDERSON, HULL and SILER,* Circuit Judges.

PER CURIAM:

After oral argument and careful consideration, we conclude that the judgment of the district court is due to be affirmed, although on grounds different from those relied upon by the district court. We need not address whether or not, or to what extent, any of the defendants are protected by absolute immunity, because we conclude that all defendants are entitled to qualified immunity. The allegations of the complaint set out ample justification for the actions taken by each of the defendants. To the extent that the complaint alleges actions which might have been actionable – e.g., the allegations of reliance upon false evidence – the allegations of the complaint are purely conclusory, without any support in specific factual allegations. Accordingly, we conclude that none of the defendants committed any constitutional violation, and we readily conclude that all of the defendants are protected by qualified immunity.

AFFIRMED.¹

*Honorable Eugene Siler, Jr., United States Circuit Judge for the Sixth Circuit, sitting by designation.

¹All pending motions are denied.